

**DEPARTMENT OF CONSUMER AFFAIRS**  
**COURT REPORTERS BOARD OF CALIFORNIA**  
**INITIAL STATEMENT OF REASONS**

Hearing Date: June 3, 2008

Subject Matter of Proposed Regulation: Fee Schedule and Due Dates of Fees

Section Added: Title 16, California Code of Regulations (CCR), Sections 2450  
and 2451

**Purpose**

The Court Reporters Board of California (Board) is mandated to protect the public health, safety, and welfare by ensuring that only those individuals possessing entry-level competence are granted licensure as court reporters in California. As a self-funded entity, the Board collects its own fees to support its programs.

Section 163.5 of the Business and Professions (B&P) Code sets the renewal delinquency fee at 50% of the renewal fee. Section 8007 authorizes the Board to adopt, amend, or repeal rules and regulations which are reasonably necessary to carry out the provisions of the chapter. Section 8008 authorizes the Board to charge and collect fees. Section 8031 establishes the statutory limits for the fees that the Board may charge and collect.

The existing regulations set forth the fees that may be charged and collected by the Board for an examination and as a penalty for failure to notify the Board of a name or address change. The existing regulations also set forth the due dates for the application fee and the original certificate fee.

The Board initiated the proposed regulatory action for the purpose of incorporating into regulation all of the Board's current fees, as well as the due date for the certificate renewal delinquency fee.

**§ 2450. Fee Schedule.**

The existing regulation sets forth the fees that may be charged and collected by the Board for an examination and as a penalty for failure to notify the Board of a name or address change. The language is being amended as follows to incorporate into regulation all of the Board's current fees.

- Delete subsection (a), which sets the fee for an examination at \$75 for each separate part for each administration.
- Add a new subsection (a) to set the fee for filing an application for examination at \$40 for each administration.
- Add a new subsection (b) to set the fee for an initial certificate at \$100 and the fee for an initial certificate that is issued less than 180 days before it will expire at \$50.

- Add a new subsection (c) to set the fee for an annual renewal of a certificate at \$100.
- Add a new subsection (d) to set the delinquency fee for the renewal of a certificate at \$50.
- Add a new subsection (e) to set the fee for a duplicate certificate at \$5.
- Renumber existing subsection (b) to new subsection (f) and amend the text to revise the penalty fee for failure to notify the Board of a change of name or address from \$50 to \$20.

The proposed amendment is being made in order to incorporate into regulation all of the fees that are currently charged by the Board.

### **§ 2451. Due Dates of Fees.**

The existing regulation sets forth the due dates of fees that must be paid to the Board, specifically the application fee and the original certificate fee. The language is being amended as follows to make a minor, nonsubstantive change and to establish the due date of the delinquency fee for the renewal of a certificate.

- Revise subsection (b) by changing the term “original certificate” to “initial certificate” to be consistent with the terminology used in Section 2450 and elsewhere.
- Add a new subsection (c) to establish the due date of the delinquency fee for the renewal of a certificate if the certificate is not renewed within thirty (30) days after the date on which it expired.

The proposed amendment is being made in order to incorporate into regulation the due date of the delinquency fee for the renewal of a certificate.

### **Factual Basis/Rationale**

#### **§ 2450. Fee Schedule.**

The existing regulation sets forth the fees that may be charged and collected by the Board for an examination and as a penalty for failure to notify the Board of a name or address change.

The proposed regulatory action would amend the regulation in order to incorporate all of the fees that are currently charged by the Board.

B&P Code Section 8031, which established the statutory limits for the fees that the Board may charge and collect, was adopted in 1996. Since that time, the Board has been charging the same fees that are currently being proposed for adoption in this regulatory action.

The existing subsection (a) is being deleted because, although there is statutory authority to do so, the Board does not currently charge a fee for an examination. The Board simply charges each applicant a \$40 fee for filing an application for each exam administration, which is being incorporated under the proposed new subsection (a).

This regulation is necessary to clarify the actual fees that are currently charged and collected by the Board. Regulatory action is needed because without the regulatory language clarifying all of the actual fees, the statutory limits specified in B&P Code Section 8031 would be the only reference to fees for the Board. While the maximum amount of fees would be easily understood, it would be unclear as to the actual fee amounts that should be charged by the Board. Furthermore, applicants and certificate holders to whom the fees may apply would be unsure of the actual amounts that they would need to pay for various Board services.

#### **§ 2451. Due Dates for Fees.**

The existing regulation sets forth the due dates of fees that must be paid to the Board, specifically the application fee and the original certificate fee.

The proposed regulatory action would amend the regulation in order to make a minor, nonsubstantive change and to establish the due date of the delinquency fee for the renewal of a certificate.

This regulation is necessary to clarify the due dates that apply to the collection of fees charged by the Board. Regulatory action is needed because without the regulatory language establishing the due date of the delinquency fee for the renewal of a certificate, it would not be clear when the delinquency fee should be charged by the Board. Furthermore, certificate holders may not understand when they would be required to pay the delinquency fee.

#### **Underlying Data**

Minutes from November 30, 2007 Board Meeting

#### **Business Impact**

The Board is not aware of any significant adverse economic impact that the proposed regulatory action will have directly affecting business, including the ability of California businesses to compete with businesses in other states, because it only affects individuals who are certified or applying for certification as court reporters. In addition, the proposed fees are the same amounts that are currently charged by the Board.

#### **Requirements for Specific Technologies or Equipment**

This proposed regulatory action does not mandate the use of specific technologies or equipment.

#### **Consideration of Alternatives / Description of Alternatives**

No alternative which was considered would be either more effective than or equally as effective as and less burdensome to affected private persons than the proposed regulation.